



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

This meeting will be televised live on Channel 6; repeated on 4/22/05 at 8 pm and 4/23/05 at 9 am

Tuesday, April 19, 2005

(1) 9:15-10:00 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

10:15 **INVOCATION** - Dilawar Singh Dhatt, Guru Nanak Foundation of America, Silver Spring

10:20 **PRESENTATION** - Proclamation in recognition of the 85th Anniversary of the League of Women Voters of Montgomery County by Councilmember Praisner

10:25 **PRESENTATION** - Proclamation honoring Billie Bradshaw, physics teacher at Poolesville High School, finalist of the Chesapeake Bay Trust's Teacher of the Year award by Councilmember Knapp

10:30 **PRESENTATION** - Proclamation honoring Albert Gruber for 40 years of volunteer service to Montgomery County by Councilmember Silverman

10:35 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: April 4, 5, and 6, 2005 (Lauer)

(2) C. **Acknowledgement** - Receipt of Petitions (Lacefield)

(3) 10:40 **CONSENT CALENDAR**

A. **Introduction** - Resolution to amend Fuel/Energy tax rates, sponsored by the Council President at the request of the County Executive (Faden)
Public hearing is scheduled for 5/10/05 at 7:30 pm.

B. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Non-Departmental Account - \$1,898,510 for Utilities (Source: General Fund undesignated reserves) (Sherer)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.

(3) 10:40 **CONSENT CALENDAR** *(continued)*

- C. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Public Works and Transportation - \$2,750,000 for Division of Transit Services (Source: General Fund) (Orlin)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.
- D. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Police - \$2,050,920 for overtime expenditures (Source: General Fund) (McMillan)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.
- E. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Department of Correction and Rehabilitation - \$3,018,020 for overtime expenditures and operating expenses (Source: General Fund) (McMillan)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.
- F. **Action** - Reappointment of Inspector General: Thomas J. Dagley (Ferber)
- G. **Action** - Recommendation for nominations to the Board of Investment Trustees (Ferber)
- H. **Action** - Resolution to authorize grant application request for the Annual Transportation Plan (Orlin)
T&E Committee recommendation will be available 4/14/05.
- I. **Action** - Resolution to establish the FY06 Work Program of the Interagency Public Information Working Group (Lacefield)
MFP Committee recommends approval.
- J. **Action** - Resolution to establish the FY06 Work Program of the Interagency Training Team (Davidson)
MFP Committee recommends approval.
- K. **Action** - Resolution to establish the FY06 Work Program of the Interagency Procurement Coordinating Committee (Healy)
MFP Committee recommends approval.
- L. **Introduction** - Supplemental appropriation to the County Government's FY05 Operating Budget, Various Departments - \$2,692,380 for Federal Fiscal Year 2004 Homeland Security Grant Program (Source: Federal Grant) (Davidson)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.
- M. **Introduction** - Supplemental appropriation to the Maryland-National Capital Park and Planning Commission's FY05 Operating Budget - \$109,220 for Federal Fiscal Year 2004 Homeland Security Grant Program (Source: Federal Grant) (Davidson)
Public Hearing is scheduled for 5/3/05 at 1:30 pm.

- (4) 10:50 **ACTION** - Special appropriation to the MCPS' FY05 Capital Budget and amendment to the FY05-10 Capital Improvements Program - Indoor Air Quality Improvements - \$1,600,000 for lead abatement at various schools (Source: GO Bonds) (Levchenko)
ED Committee recommendation will be available 4/14/05.

- (5) 11:00 **ACTION** - Consideration of Spending Affordability Guidelines for FY06 Operating Budget (Sherer)
MFP Committee recommendation will be available 4/14/05.

11:45 **DISTRICT COUNCIL SESSION**

- (6) **A. Action** - Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: Development Plan Amendment **DPA 04-2**
Applicant: Auto Park Investment General Partnership II (Scott Wallace, Attorney)
Property: 10.28 acres east of Briggs Chaney and Robey Roads
Action: Amendment to development plans approved in G-189 (1980) and DPA 86-1 (1986). Amendment seeks to increase permitted building size on northern half of site from 20,500 square feet to 57,749 square feet, and change permitted use from auto dealership to auto body shop. No change is proposed on southern half of site, which is under separate ownership
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: No Report

12:15 **RECESS**

- (7) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service - \$973,035 for FFY2004 Urban Search and Rescue Emergency Preparedness and Response Directorate Grant (Source: Federal Grant) (Davidson)
PS Committee worksession tentatively scheduled for 4/22/05.
- (8) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the County Government's FY05 Operating Budget, Montgomery County Fire and Rescue Service and Office of Human Resources - \$795,980 for Implementation of Bill 36-03 (Source: Consolidated Fire Tax District Fund & General Fund) (Davidson)
PS Committee worksession tentatively scheduled for 4/22/05.
- (9) 1:30 **PUBLIC HEARING/ACTION** - Supplemental appropriation to the MCPS' FY05 Operating Budget - \$10,750,000 for Provision for Future Supported Projects (Source: Federal/State Grants) (Planell)

ADJOURN

- 2:00 **MFP/T&E Committee** (7th floor Council Hearing Room)
2:30 **MFP Committee** (7th floor Council Hearing Room)
2:30 **T&E Committee** (3rd floor Council Conference Room)

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Apr 26, 2005	9:15 am	Regular Session
May 3, 2005	9:15 am	Regular Session
May 9, 2005	9:30 am	Council Budget Worksession
May 10, 2005	9:15 am	Regular Session and Budget Worksession
May 11, 2005	9:30 am	Council Budget Worksession
May 12, 2005	9:30 am	Council Budget Worksession
May 12, 2005	3:00 pm	BiCounty Budget Mtg. w/ Prince George's County Council
May 13, 2005	9:30 am	Council Budget Worksession
May 16, 2005	9:30 am	Council Budget Worksession
May 17, 2005	9:15 am	Regular Session and Budget Worksession
May 18, 2005	9:30 am	Council Budget Worksession
May 19, 2005	9:30 am	Council Budget Worksession
May 26, 2005	9:30 am	Council Budget - Action

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

April 19, 2005

- 1:30 pm Supplemental appropriation to the MCPS' FY05 Operating Budget - \$10,750,000 for Provision for Future Supported Projects
- 1:30 pm Supplemental appropriations to the County Government's FY05 Operating Budget,
- MCFRS - \$973,035 for FFY2004 Urban Search and Rescue Emergency Preparedness and Response Directorate Grant
 - MCFRS and OHR - \$795,980 for Implementation of Bill 36-03

April 26, 2005

- 11:00 am Resolution to establish FY06 Solid Waste Service Charges
- 11:00 am Resolution to establish FY06 Water Quality Protection Charge
- 11:00 am Resolution to amend transportation fees, charges, and fares
- 11:00 am Constant Yield Tax Rate (CYTR)
- 11:00 am Resolution to establish fees for equestrian event permits
- 11:00 am Resolution to amend fees:
- for the enforcement of Special Exceptions
 - to waive Parking Standards
 - for Zoning Compliance Letters
 - for the administration and enforcement of Registered Home Occupations
 - for the administration and enforcement of Sign Permits and Licenses
- 11:00 am ZTA 05-04, Moderately Priced Dwelling Units (MPDU) - finding of financial infeasibility
- 11:00 am SRA 05-01, Moderately Priced Dwelling Units (MPDU) - finding of financial infeasibility
- 11:00 am **Expedited Bill 4-05**, Moderately Priced Dwelling Units (MPDU) - follow up amendments

May 3, 2005

- 1:30 pm Supplemental appropriations to the County Government's FY05 Operating Budget
- NDA- \$1,898,510 for Utilities
 - DPWT- \$2,750,000 for Division of Transit Services
 - DOP- \$2,050,920 for overtime expenditures
 - DOCR - \$3,018,020 for overtime expenditures and operating expenses

FUTURE PUBLIC HEARINGS (continued)
To testify call 240-777-7931

May 3, 2005 (continued)

- 1:30 pm Resolution to create a MALPF Agricultural District - Shiloh Farm - Michael Rubin, 21420 Big Woods Road, Dickerson
- 1:30 pm Supplemental appropriation to the County Government's FY05 Operating Budget, Various Departments - \$2,692,380 for FFY2004 Homeland Security Grant Program
- 1:30 pm Supplemental appropriation to the M-NCPPC's FY05 Operating Budget - \$109,220 for FFY2004 Homeland Security Grant Program
- 7:00 pm FY06 Capital Budget and FY05-10 CIP amendments - MCPS

May 10, 2005

- 1:30 pm Woodmont Triangle Amendment to the Bethesda CBD Sector Plan
- 1:30 pm ZTA 05-05, Streetscape Requirements - I-1 Zone
- 1:30 pm ZTA 05-06, Building Materials and Supplies - R&D Zone

June 14, 2005

- 1:30 pm **Expedited Bill 5-05**, Landlord-Tenant Relations - Attorneys' fees
- 1:30 pm **Bill 6-05**, Junk Dealers and Junkyards - Repeal
- 1:30 pm **Bill 7-05**, Cable Communications - Cable Compliance Commission - Amendments
- 1:30 pm **Bill 8-05**, Buildings - Permits - Posting of Notice of Issuance
- 1:30 pm **Bill 9-05**, Buildings - Location in County
- 1:30 pm Subdivision Regulation Amendment 05-02, Lots - Location in County



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ADDENDUM

Tuesday, April 19, 2005

(3) 10:40 **CONSENT CALENDAR**

Add:

- N. **Introduction** - Amendment to County Government's FY06 Capital Budget and FY05-10 Capital Improvements Program, Department of Environmental Protection - \$185,000 for street tree planting (Source: G.O. Bonds) (Levchenko)
Public Hearing is scheduled for 5/10/05 at 1:30 pm.

10:55 **LEGISLATIVE SESSION Day # 11**

B. **Introduction of Bills**

Add: (5.1)

- **Expedited Bill 10-05**, Property Tax - Deferral, sponsored by Councilmember Leventhal (Faden)
Public Hearing is scheduled for 5/10/05 at 7:30 pm.